REMARKS

By this Amendment, claims 155, 156, 158-163, 166-168, 170, 171, 176, 177 and 179-185 have been amended, claims 143-154, 157, 175, 186 and 188 have been cancelled, and new claims 190-192 have been added. Accordingly, claims 155, 156, 158-174, 176-185, 187 and 189-192 are pending in the present application.

Claims 175 and 180 stand rejected under 35 U.S.C. §102(b) as being anticipated by International Publication WO 03/092295 to Hatabu et al. Claims 154-156, 158, 162-174, 176-179, 181-187 and 189 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hatabu et al. alone or in combination with one or more of U.S. Patent No. 5,528,284 to Iwami, U.S. Patent No. 6,745,364 to Bhatt, U.S. Patent No. 6,415,031 to Colligan, JP 2003-318851 to Kazunori, U.S. Patent No. 7,017,175 to Alao, U.S. Patent No. 6,373,817 to Kung, U.S. Patent No. 6,571,361 to Kikuchi, U.S. Patent No. 5,892,879 to Oshima, U.S. Patent No. 5,708,961 to Hylton, an article by Tudor, and U.S. Patent No. 6,778,501 to Malmgren. Applicants respectfully traverse these rejections as they relate to the claims currently pending as noted above.

Claims 155, 156, 158-174, 187 and 189

Among the limitations of independent claims 155 and 158 which are neither disclosed nor suggested in the art of record is a content distribution apparatus that includes "call connection processing means for controlling call connection between the content distribution apparatus and a content receiving apparatus;" and "means for controlling session information notified by the call connection processing means to the content receiving apparatus among first through Nth distribution sessions to control quality level and quality stability of content to be reproduced by the content receiving apparatus."

Hatabu et al. is directed to a moving picture transmission system for encoding and sending moving picture data and for receiving and decoding the encoded data. However,

nowhere does Hatabu et al. disclose or suggest "call connection processing means for controlling call connection between the content distribution apparatus and a content receiving apparatus;" and "means for controlling session information notified by the call connection processing means to the content receiving apparatus among first through Nth distribution sessions to control quality level and quality stability of content to be reproduced by the content receiving apparatus." Accordingly, Hatabu et al. does not anticipate or render obvious independent claims 155 and 158.

Neither Iwami, Bhatt, Colligan, Kazunori, Alao, Kung, Kikuchi, Oshima, Hylton, the article by Tudor nor Malmgren remedy any of the deficiencies of Hatabu et al. None of these references disclose or suggest the call connection processing means or the means for controlling session information. Thus, even of one were to combine the teachings of these references, one would not arrive at the present invention as defined in independent claims 155 and 158. Accordingly, it is respectfully submitted that independent claims 155 and 158 patentably distinguish over the art of record.

Claims 156, 162-174 and 187 depend either directly or indirectly from independent claim 155 and include all of the limitations found therein. Claims 159-161 and 189 depend either directly or indirectly from independent claim 158 and include all of the limitations found therein. Each of these dependent claims include additional limitations which, in combination with the limitations of the claims from which they depend, are neither disclosed nor suggested in the art of record. Accordingly, claims 156, 159-174, 187 and 189 are likewise patentable.

Claims 176-185

Among the limitations of independent claim 176 which are neither disclosed nor suggested in the art of record is a content receiving apparatus that includes, *inter alia*:

> means for extracting the encoded data received with no transmission error and no dropout from among the received data and for restoring the encoded data using the error correction code

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data when the transmission error or the dropout is present to
reconstruct the encoded data; and
      means for selecting whether to receive the error correction
code data when receiving at least two of the error correction code
data or the error correction code data used in error correction
processing, based on at least one of:
      error/loss rate of received data;
      error/loss state of data on a transmission path;
      error correction encoding scheme;
      available power; and
      setting set in advance.

Neither Hatabu et al., Iwami, Bhatt, Colligan, Kazunori, Alao, Kung, Kikuchi, Oshima, Hylton, the article by Tudor nor Malmgren disclose or suggest at least the above-noted limitations of independent claim 176, let alone the other specific limitations recited therein. Thus, even of one were to combine the teachings of these references, one would not arrive at the present invention as defined in independent claim 176. Accordingly, it is respectfully submitted that independent claim 176 patentably distinguish over the art of record.

Claims 177-185 depend either directly or indirectly from independent claim 176 and include all of the limitations found therein. Each of these dependent claims include additional limitations which, in combination with the limitations of the claims from which they depend, are neither disclosed nor suggested in the art of record. Accordingly, claims 177-185 are likewise patentable.

New claims 190-192 have been added to more fully cover the scope of the present invention. No new matter has been added.

In view of the foregoing, favorable consideration of the amendments to claims 155, 156, 158-163, 166-168, 170, 171, 176, 177 and 179-185, favorable consideration of new claims 190-192, and allowance of the present application with claims 155, 156, 158-174, 176-185, 187 and 189-192 is respectfully and earnestly solicited.

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